



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Our Case No. 13051US02)

In The Application Of:

T. KNOWLES ET AL.

Serial No.: 09/998,355

Filed: November 20, 2001

Examiner: L. Lao

Group Art Unit: 2673

For: ACOUSTIC WAVE TOUCH
ACTUATED SWITCH

CERTIFICATE OF MAILING

I hereby certify that this correspondence is
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Box 1450, Alexandria, VA 22313-1450 on:

May 5, 2005

By: *John D. Kuebler*

Reg. No.: 30,171

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

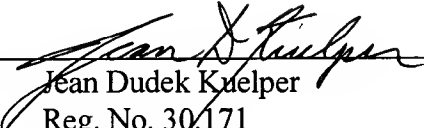
Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached **RESPONSE and REQUEST FOR EXTENSION OF TIME**.
2. With respect to additional fees:
 - ☐ A. No additional fee is required.
 - ☐ B. An additional fee is required and has been calculated as shown below.
 - ☐ C. Attached is a check in the amount of \$_____.
 - ☒ D. Charge the total fees to the Deposit Account of McAndrews, Held & Malloy, Ltd. The Account No. is 13-0017.

3. Please charge any additional fees or credit overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Dated: May 5, 2005

By 
Jean Dudek Kuelper
Reg. No. 30,171

McAndrews, Held & Malloy, Ltd.
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RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action of December 7, 2004.

Claims 1-15, 36-38 and 72-86 have been allowed. Claims 21, 22, 40, 42, 48, 49, 67, 69, 91, 92, 97 and 99 have been indicated allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claims 17-20, 23-35, 39, 41, 44-47, 50-66, 68, 70, 87-90, 93-96, 98 and 101-120 are at issue.

The provisional rejection of claims 17-20, 23-35, 38-39, 43-47, 50-66, 74-76, 79-84, 87-90, 93-96 and 100-120 under the judicially created doctrine of obviousness type double patenting as unpatentable over claims 1-20 of co-pending application number 09/998,220 is respectfully traversed. The claims of the co-pending application 09/998,220 have been amended so that the claims no longer recite an acoustic wave switch comprising a substrate or a mesa formed on the